

REMARKS

Claims 4-9 and 16 are pending and under consideration. Claims 4, 5, 7, 8, and 9 are amended herein. Claim 16 is added herein. Claim 3 is cancelled herein without prejudice or disclaimer. Support for the amendments to the claims may be found in the claims as filed originally. In particular, claims 4 and 5 have been placed in independent form by incorporating the subject matter of former claim 3, from which they depended, while dependencies have been adjusted in claims 6, 7, and 8. The amendments are thus related substantially to the form of the claims, rather than their substance, and the amendments are not, therefore, being made for any reason of patentability. Reconsideration is requested based on the foregoing amendment and the following remarks.

Information Disclosure Statement:

The IDS filed February 26, 2004 was not considered because the copy of the listed reference was not legible. A review of the "PATENT ABSTRACTS OF JAPAN of JP05343540 A dated December 24, 1993," which was listed on the PTO-1449 accompanying the IDS and which was scanned into the subject application at the USPTO web site, indicates the copy is legible. Only the Abstract was filed. Consideration of the IDS filed February 26, 2004 is requested, as well as the return of a signed initialed copy of the Form PTO-1449 that accompanied the IDS, with the next communication from the Office.

In any case, the entire document is submitted herewith on a PTO-1449.

Objections to the Specification:

The Title was objected to as not descriptive. The Title is substantially similar to the preambles of the original claims, which is submitted to be customary. Since the Title is substantially similar to the preambles of the claims, it is submitted to be, by definition, descriptive of the invention to which the claims are directed. If a further discussion of the Title of the invention would be helpful, the Examiner is invited to contact the undersigned representative of the Applicant. Otherwise, withdrawal of the objection is earnestly solicited.

Objections to the Drawings:

The drawings were objected to for including reference character "DP2D" not mentioned in the specification in Fig. 13. The specification has been amended to change "DP2C" to "DP2D" at page 22, line 12 of the specification.

The drawings were objected to for not showing "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," as recited in claim 4 and "longer sides of said dummy pattern extend perpendicularly to the direction in which said actual pattern extends," as recited in claim 5. To the contrary, "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," are shown in Fig. 5 and described at page 14, lines 22-26, while "longer sides of said dummy pattern extend perpendicularly to the direction in which said actual pattern extends," are shown in Fig. 8 and described at page 19, lines 12-17. Withdrawal of the objections to the drawings is earnestly solicited.

Claim Rejections - 35 U.S.C. § 112:

Claims 4, 5, and 6 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. As discussed above, the recitation "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," is shown in Fig. 5 and described at page 14, lines 22-26. As described therein:

As shown in Fig. 5, in the third embodiment, the dummy patterns DP1A and DP2A are arranged so that the long sides thereof have the same direction as the extending direction of the wiring patterns WP1 and WP2 being orthogonally wired on the same layer.

Similarly, the recitation "longer sides of said dummy pattern extend perpendicularly to the direction in which said actual pattern extends," is shown in Fig. 8 and described at page 19, lines 12-17. As described therein:

As shown in Fig. 8, in the forth embodiment, the dummy patterns DP1B and DP2B are arranged with their long sides being in the direction orthogonal to the extending direction of the wiring patterns WP1 and WP2 which are orthogonally wired on the same wiring pattern, respectively.

Claims 4, 5, and 6 are submitted to be definite within the meaning of 35 U.S.C. § 112, second paragraph. Withdrawal of the rejection is earnestly solicited.

Claim Rejections - 35 U.S.C. § 103:

Claims 4, 5, 7, and 8 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' Prior Art (hereinafter "APA") in view of Japanese Patent No. JP 2000-151035 to Taniguchi (hereinafter "Taniguchi"). The rejection is traversed to the extent it might apply to the claims as amended. Reconsideration is earnestly solicited.

The third clauses of claims 4 and 5 recite:

Longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends.

Neither APA nor Taniguchi teach, disclose, or suggest, "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," as recited in claims 4 and 5. In Taniguchi, rather, the dummy wiring 15 is formed over a ridge line (p), as described in the Abstract and shown in Fig. 1. No mention of "longer sides of said dummy pattern extend in a same direction as said actual pattern," appears in either APA or Taniguchi at all. Thus, even if APA and Taniguchi were combined, as proposed in the Office Action, the claimed invention would not result. Claims 4 and 5 are thus submitted to be allowable. Withdrawal of the rejection of claims 4 and 5 is earnestly solicited.

Claims 7 and 8 depend from claims 4 and 5, respectively, and add further distinguishing elements. Claims 7 and 8 are thus also submitted to be allowable. Withdrawal of the rejection of claims 7 and 8 is earnestly solicited.

Claim 6:

Claim 6 was rejected under 35 U.S.C. § 103(a) as being unpatentable over APA and Taniguchi in view of U.S. Pub. Pat. App. No. 2004/0108592 to Cheng et al. (hereinafter "Cheng"). The rejection is traversed to the extent it might apply to the claims as amended.

Claim 6 depends from claim 5 and adds further distinguishing elements. Neither APA nor Taniguchi teach, disclose, or suggest, "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," as discussed above with respect to the rejection of claim 5. Cheng does not either, and thus cannot make up for the deficiencies of either APA or Taniguchi with respect to the claimed invention. Thus, even if APA, Taniguchi and Cheng were combined, as proposed in the Office Action, the claimed invention would not result. Claim 6 is thus also submitted to be allowable. Withdrawal of the rejection of claim 6 is earnestly solicited.

Claim 9:

Claim 9 was rejected under 35 U.S.C. § 103(a) as being unpatentable over APA and Taniguchi in view of U.S. Pat. No. 5,854,125 to Harvey (hereinafter "Harvey"). The rejection is traversed. Reconsideration is earnestly solicited.

Claim 9 depends from claim 5 and adds further distinguishing elements. Neither APA nor Taniguchi teach, disclose, or suggest, "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," as discussed above with

respect to the rejection of claim 5. Harvey does not either, and thus cannot make up for the deficiencies of either APA or Taniguchi with respect to the claimed invention. Thus, even if APA, Taniguchi and Harvey were combined, as proposed in the Office Action, the claimed invention would not result. Claim 9 is thus also submitted to be allowable. Withdrawal of the rejection of claim 9 is earnestly solicited.

New claim 16:

Claim 16 depends from claim 5 and adds further distinguishing elements. None of the cited references teach, disclose, or suggest, "longer sides of said dummy pattern extend in a same direction as said actual pattern which is perpendicularly wired extends," as discussed above. Claim 16 is thus also believed to be allowable.

Conclusion:

Accordingly, in view of the reasons given above, it is submitted that all of claims 4-9 and 16 are allowable over the cited references. Allowance of all claims 4-9 and 16 and of this entire application is therefore respectfully requested.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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